

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC JEROME POWELL,

Defendant.

Case No. 2:12-cr-20052-2

HONORABLE STEPHEN J. MURPHY, III

**ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS [866]**

Defendant Eric Jerome Powell moved for leave to proceed in forma pauperis on his appeal of the Court's order denying compassionate release. ECF 866. The Court will deny the motion despite the pending appeal. *See* Fed. R. Civ. P. 62.1(a). Unlike civil proceedings under 28 U.S.C. § 1915(a)(2), Defendant need not proceed in forma pauperis to appeal a compassionate release order. The Court will therefore deny the motion for leave to proceed in forma pauperis on appeal.

**WHEREFORE**, it is hereby **ORDERED** that the motion for leave to proceed in forma pauperis [866] is **DENIED**.

**SO ORDERED.**

Dated: April 23, 2021

s/ Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 23, 2021, by electronic and/or ordinary mail.

s/ David P. Parker  
Case Manager